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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 LANCE IAN OSBAND,)	NO. CIV-S-97-0152 WBS KJM
12 Petitioner,)	<u>CAPITAL CASE</u>
13 v.)	
14 JAMES STOKES, Acting Warden, San)	ORDER GRANTING PETITIONER'S MOTION
15 Quentin State Prison,)	FOR APPOINTMENT OF ADDITIONAL
16 Respondent.)	COUNSEL UNDER 18 U.S.C. § 848(q)

17 Petitioner has filed a motion requesting the appointment of co-counsel to represent him in
18 these proceedings. Specifically, Petitioner, through the Federal Defender, has requested the appointment
19 of attorney Tim Brosnan, who represented Petitioner on direct appeal and in state habeas corpus
20 proceedings. Mr. Brosnan has been deemed qualified by the selection committee.

21 Congress has given persons sentenced to death by state courts the right to counsel in federal
22 habeas corpus proceedings. 21 U.S.C. § 848(q). Although the Federal Defender has been representing
23 Petitioner, this Court has appointed prior state-court counsel to represent other capital habeas corpus
24 petitioners. *See, e.g., Coddington v. Warden*, CIV-01-1290-MCE-GGH-P; *Holt v. Warden*, CIV-97-6210-
25 AWI-P; *Riel v. Warden*, CIV-01-0507-LKK-KJM-P; *Sanchez v. Warden*, CIV-98-0180-AWI-P.

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The Court finds GOOD CAUSE for appointing Mr. Brosnan to act as co-counsel for Petitioner. Therefore, Petitioner's motion is GRANTED.

Tim Brosnan, State Bar No. 75938, is hereby appointed co-counsel for Petitioner.

IT IS SO ORDERED.

Dated: July 28, 2005.

UNITED STATES MAGISTRATE JUDGE